

104TH CONGRESS
1ST SESSION

H. R. 2729

To amend the Social Security Act to provide for the waiver of the Medicare part B late enrollment penalty and the establishment of a special enrollment period for certain military retirees and their dependents.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 1995

Mr. MATSUI (for himself, Mr. STARK, Mr. SERRANO, Ms. PELOSI, Mr. ACKERMAN, Mr. FROST, Mr. FATTAH, Mr. ROSE, Mrs. THURMAN, Mr. FILNER, Ms. BROWN of Florida, Mr. PICKETT, Mr. SCOTT, Mr. GENE GREEN of Texas, Mr. BARCIA, Mr. JOHNSTON of Florida, and Mr. FAZIO of California) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Social Security Act to provide for the waiver of the Medicare part B late enrollment penalty and the establishment of a special enrollment period for certain military retirees and their dependents.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. WAIVER OF MEDICARE PART B LATE ENROLL-**
2 **MENT PENALTY AND ESTABLISHMENT OF**
3 **SPECIAL ENROLLMENT PERIOD FOR CER-**
4 **TAIN MILITARY RETIREES AND DEPENDENTS.**

5 Section 1837 of the Social Security Act (42 U.S.C.
6 1395p) is amended by adding at the end the following new
7 subsection:

8 “(j)(1) The Secretary shall make special provisions
9 for the enrollment of an individual who is a covered bene-
10 ficiary under chapter 55 of title 10, United States Code,
11 and who is affected adversely by the closure of a military
12 medical treatment facility of the Department of Defense
13 pursuant to a closure or realignment of a military installa-
14 tion.

15 “(2) The special enrollment provisions required by
16 paragraph (1) shall be established in regulations issued
17 by the Secretary. The regulations shall—

18 “(A) identify individuals covered by paragraph
19 (1) in accordance with regulations providing for such
20 identification that are prescribed by the Secretary of
21 Defense;

22 “(B) provide for a special enrollment period of
23 at least 90 days to be scheduled at some time prox-
24 imate to the date on which the military medical
25 treatment facility involved is scheduled to be closed;
26 and

1 “(C) provide that, with respect to individuals
2 who enroll pursuant to paragraph (1), the increase
3 in premiums under section 1839(b) due to late en-
4 rollment under this part shall not apply.

5 “(3) For purposes of this subsection—

6 “(A) the term ‘covered beneficiary’ has the
7 meaning given such term in section 1072(5) of title
8 10, United States Code;

9 “(B) the term ‘military medical treatment facil-
10 ity’ means a facility of a uniformed service referred
11 to in section 1074(a) of title 10, United States Code,
12 in which health care is provided; and

13 “(C) the terms ‘military installation’ and ‘re-
14 alignment’ have the meanings given such terms—

15 “(i) in section 209 of the Defense Author-
16 ization Amendments and Base Closure and Re-
17 alignment Act (10 U.S.C. 2687 note), in the
18 case of a closure or realignment under title II
19 of such Act;

20 “(ii) in section 2910 of the Defense Base
21 Closure and Realignment Act of 1990 (title
22 XXIX of Public Law 101–510; 10 U.S.C. 2687
23 note), in the case of a closure or realignment
24 under such Act; or

1 “(iii) in subsection (e) of section 2687 of
2 title 10, United States Code, in the case of a
3 closure or realignment under such section.”.

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